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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,070	06/25/2001	Lauge S. Sorensen	219.40065X00	6580

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KENYON & KENYON LLP
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WASHINGTON, DC 20005

EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
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2154

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/887,070	SORENSEN, LAUGE S.	
	Examiner	Art Unit	
	Dustin Nguyen	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4,6-9,11-16,18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,4,6-9,11-16,18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 3, 4, 6-9, 11-16, 18, 20-23 are presented for consideration.

Response to Arguments

2. Applicant's arguments, see Remarks, filed 11/20/2006, with respect to claims 21-23 have been fully considered and are persuasive. The non-final rejection of claims 3, 4, 6-9, 11-16, 18, 20-23 has been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 6, 7, 11-16, 18, 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindhorst et al. [US Patent No 6,889,379], in view of MacFarlane et al. [US Patent Application No 2001/0042081].

5. As per claim 21, Lindhorst discloses the invention as claimed including a method for controlling content of a Hyper Text Transfer Protocol (HTTP) header [i.e. authoring of text and

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more particularly to techniques for automatically generating HTML script] [col 1, lines 19-22; and col 19, lines 16-27], comprising:

creating HTML or XML content by a developer [i.e. creating a new page with new methods and properties] [col 20, lines 15-22];

inserting information into said content by the developer [i.e. the editor may step the developer through each method and property of the new object to allow the developer to modify the properties and methods as they are incorporated into the object of the new page] [col 20, lines 22-45], said inserted information having one or more associated identifiers [i.e. meta name or meta HTTP-EQUIV] [col 20, lines 32-38; and col 22, lines 11-21].

Lindhorst does not specifically disclose

searching the content for information with the identifiers; and

generating a HTTP header for the content, the generated HTTP header including the information located in the content; said information in said HTTP header to be used by an Internet cache to determine how long to store the HTML or XML content associated with the HTTP header.

MacFarlane discloses

searching the content for information with the identifiers [i.e. get markup or data until end of document] [Figure 5; paragraphs 0059 and 0099];

generating a HTTP header for the content [i.e. result in the HTTP header] [paragraph 0086-0090], the generated HTTP header including the information located in the content [i.e. author, expiry date, a list of keywords] [paragraphs 0078-0085]; said information in said HTTP header to be used by an Internet cache to determine how long to store the HTML or XML

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content associated with the HTTP header [i.e. to determine when to fetch a fresh copy of the associated document] [paragraphs 0087-0091].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Linhorst and MacFarlane because the teaching of MacFarlane would allow to access an HTML page to extract data for use by other programs faster and transmission costs might be reduced [MacFarlane, paragraph 0106].

6. As per claim 3, Lindhorst discloses wherein the HTML or XML content is created at a web server [701, Figure 11; col 19, lines 16-27; and col 24, lines 1-9].

7. As per claim 4, Lindhorst discloses the content comprises of at least one web page [col 7, lines 65-67].

8. As per claim 6, Lindhorst discloses wherein the identifiers comprise at least one of a Meta tag, a label, a tag and a command [i.e. meta name or meta HTTP-EQUIV] [col 20, lines 32-38; and col 22, lines 11-21].

9. As per claim 7, Lindhorst does not specifically disclose performing the searching and generating at a network node, the network node being at a different location than where the creating and inserting are performed. MacFarlane discloses performing the searching and generating at a network node [230, Figure 7; and paragraph 0103], the network node being at a different location than where the creating and inserting are performed [190, Figure 7; and

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paragraph 0102]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Linhorst and MacFarlane because the teaching of MacFarlane would allow to access an HTML page to extract data for use by other programs faster and transmission costs might be reduced [MacFarlane, paragraph 0106].

10. As per claim 22, it is apparatus claimed of claim 21, it is rejected for similar reasons as stated above in claim 21.

11. As per claim 11, it is rejected for similar reasons as stated above in claim 3.

12. As per claim 12, Lindhorst does not specifically disclose Internet cache control information. MacFarlane discloses Internet cache control information [i.e. expiry date] [paragraphs 0084-0091]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Linhorst and MacFarlane because the teaching of MacFarlane would allow to access an HTML page to extract data for use by other programs faster and transmission costs might be reduced [MacFarlane, paragraph 0106].

13. As per claim 13, it is rejected for similar reasons as stated above in claim 6.

14. As per claim 14, Lindhorst discloses wherein the network comprises the Internet [col 7, lines 60-62].

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15. As per claim 15, MacFarlane discloses wherein the at least one network node comprises an Internet cache [i.e. proxy] [230, Figure 7].
16. As per claim 16, it is rejected for similar reasons as stated above in claim 4.
17. As per claim 23, it is program product claimed of claim 21, it is rejected for similar reasons as stated above in claim 21.
18. As per claim 18, it is rejected for similar reasons as stated above in claim 4.
19. As per claim 20, it is rejected for similar reasons as stated above in claim 6.
20. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lindhorst et al. [US Patent No 6,889,379], in view of MacFarlane et al. [US Patent Application No 2001/0042081], and further in view of Masters [US Patent No 6,374,300].
21. As per claim 8, Lindhorst and MacFarlane do not specifically disclose wherein the network node comprises a router. Masters discloses wherein the network node comprises a router [114, Figure 1A; Abstract; and col 3, lines 61-65]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Lindhorst, MacFarlane and Masters

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because Masters' teaching of router would allow nodes to communicate with multiple destinations in an more organized manner.

22. As per claim 9, Masters discloses performing the searching and generating by a network appliance at the router [col 5, lines 17-21].

23. Applicant's arguments with respect to claims 3, 4, 6-9, 11-16, 18, 20-23 have been considered but are moot in view of the new ground(s) of rejection.

24. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen
Examiner
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